

TITLE 326 AIR POLLUTION CONTROL DIVISION

Rule Information Sheet

Stage II Vapor Recovery System Requirements LSA Document #12-636

Overview

U.S. EPA has determined that onboard refueling vapor recovery technology is in widespread use throughout the motor vehicle fleet for purposes of controlling motor vehicle refueling emissions, and has therefore, waived the requirement for states to implement Stage II at gasoline dispensing facilities in nonattainment areas classified as serious and above for the ozone national ambient air quality standards (NAAQS), providing certain conditions are met.

In accordance with U.S. EPA guidance, IDEM conducted an emissions inventory analysis to develop a revision to the State Implementation Plan to phase out or remove Stage II requirements in the former serious ozone nonattainment areas (Clark County and Floyd County), and severe ozone nonattainment areas (Lake County and Porter County). IDEM's widespread use analysis determined that emission reductions could still be met if Indiana's Stage II requirements were eliminated in 2016. However, IDEM began phasing the program out in 2013 via non-rule policy for new and modified facilities; therefore, it is necessary for Indiana to account for the potential loss in emission reductions from the early removal of the Stage II program for the years 2013 through 2015. IDEM is preparing an antibacksliding demonstration that replaces the potential lost reductions with those achieved through other programs not currently accounted for in the State Implementation Plan (SIP). This demonstration will accompany the rule revision submitted to U.S. EPA to support modification to the SIP.

This rulemaking amends 326 IAC 2-11-2, 326 IAC 8-4-1, and 326 IAC 8-4-6 to remove Stage II vapor recovery system requirements in Clark, Floyd, Lake, and Porter counties.

Suggested Changes since Preliminary Adoption

Since preliminary adoption of this rule, a few administrative changes have been made to conform to Legislative Services Agency requirements and to delete an obsolete reference. These changes have no substantive impact on the rule.

Affected Persons

This rulemaking affects existing gasoline dispensing facilities in Clark, Floyd, Lake, and Porter counties that have stage II vapor recovery systems and new gasoline dispensing facilities in these counties that will not need to install stage II vapor recovery systems.

Reasons for the Rule

This rulemaking removes redundant requirements in accordance with federal rule and guidance.

Economic Impact of the Rule

This rulemaking will result in a cost savings to owners and operators of gasoline dispensing facilities in Clark, Floyd, Lake, and Porter counties that no longer need to install stage II vapor recovery systems for new facilities or use stage II vapor recovery systems when replacing existing equipment.

Scheduled Hearings

First Public Hearing: September 10, 2014, at 1:30 p.m., at the Indiana Government Center South, 302 West Washington Street, Conference Center Room A, Indianapolis, Indiana.

Second Public Hearing: November 12, 2014, at 1:30 p.m., at the Indiana Government Center South, 302 West Washington Street, Conference Center Room A, Indianapolis, Indiana.

IDEM Contact

Additional information regarding this rulemaking action can be obtained from Christine Pedersen, Rules Development Branch, Office of Legal Counsel, (317) 233-5684, (800) 451-6027 (in Indiana), or cpederse@idem.in.gov.